MAR 22 1929

Circular No. 6102.
February, 1929.

INFORMATION CIRCULAR

DEPARTMENT OF COMMERCE -- BUREAU OF MINES

I. MINING LAWS OF RUMANIA[1]

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PREFATORY NOTE

This paper presents one of a series of digests of foreign mining legislation and court decisions which is being prepared in advance of a general report relative to the rights of American citizens to explore for minerals and to own and operate mines in various foreign countries. This interpretation of the laws of Rumania, originally prepared from the best available information in Washington, has been checked, through the courtesy of the Department of State, by the American Charge d'Affaires at Bucharest (Oct. 19, 1928).

SYNOPSIS OF LAW

The mining law promulgated by royal decree (No. 2294) under date of July 3, 1924, asserts the claims of the State to ownership of practically all commercial minerals (Articles 1 and 2) and provides that these minerals shall be conserved for exploitation largely by Rumanian capital.

The ownership of all mining companies formed after July 3, 1924, must be at least 60 per cent Rumanian, and the chairman and at least two-thirds of the members of the board of directors must be Rumanian (Article 33).

Companies with foreign capital in existance prior to July 3, 1924, but which do not fulfill all the conditions of Article 33, may obtain land from the State if they will make a declaration that within the first ten years they will adapt themselves to Article 33 and modify their board of directors so that two-thirds of the directors and the chairman will be Rumanian. For such companies the requirements as to Rumanian capital are reduced to 55 per cent.

Companies existent before July 3, 1924, which then had a simple majority of the capital (51 per cent) held by Rumaniana and a majority of Rumanians on the board, may secure mining concessions from the State if they have 51 per cent of the capital in the hands of Rumanians. (Addition to Article 32 of the Mining Law, 1924, published in "Monitor Official" No. 270, December 6, 1925).

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